IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT:

THE HON'BLE SRI JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.9083 of 2005

Between:

M/s. Satyakala Agro Oil Products Ltd.,

Ganguru, Penamaluru Mandalam
Krishna District, Rep. by its Managing Director

Sri D.Sai Prasad. **..... PETITIONER**

AND

1) The Commercial Tax Officer Benz Circle,

Vijaywada.

2) The Joint Commissioner (CT) (Enf.), Hyderabad.

3) The Deputy Commissioner (CT), Division - II,

Vijayawada. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be

pleased to issue a writ or order or direction particularly one in the nature of Writ of Certiorari after calling for the records and quash the assessment order, dated 16-03-2005, passed by the first respondent for the assessment year 2002-03, in so far as seeking levy of tax without permitting the cross examination of the consignment agents and also not affording a personal hearing in the matter.

Counsel for the Petitioner: Sri S. Krishna Murthy

Counsel for the Respondents: G.P. for Commercial Tax

The Court made the following :

ORDER:(Per Hon'ble Sri Justice B. Sudershan Reddy)

Learned counsel for the petitioner seeks leave of this Court to withdraw this writ petition with leave to avail such remedies as may be available to him in law. Leave is accordingly granted. It is needless to observe that we have not expressed any opinion on the merits of the case and if the petitioner avails any such remedy, the same may have to be considered on its own merits uninfluenced by dismissal of this writ petition.

The Writ Petition shall accordingly stand dismissed as withdrawn without any order as to costs.

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B. SUDERSHAN REDDY, J

Date:28-04-2005.

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C.V. RAMULU, J

PV

To

1) The Commercial Tax Officer Benz Circle,

Vijaywada.

2) The Joint Commissioner (CT) (Enf.), Hyderabad.

3) The Deputy Commissioner (CT), Division - II,

Vijayawada.

4) Two C.Cs. to G.P. for Commercial Tax, High Court of A.P.,

Hyderabad (O.U.T.).

5) Two C.Ds.